

*KENNETH J. MURPHY
RETECH COMPUTER EQUIPMENT, INC.
MICROSOFT CORPORATION
Plaintiff
Defendants*
RECEIVED
OCT 17 2003
KENNETH J. MURPHY
DAYTON, OHIO
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
MICROSOFT CORPORATION,) Case No. C-1-01-491
Plaintiff,)
v.)
RETECH COMPUTER EQUIPMENT, INC., et al)
al.)
Defendants.)**STIPULATED DISMISSAL ORDER**

WHEREAS Plaintiff Microsoft Corporation (“Microsoft”) and Defendants Retech Computer Equipment, Inc., an Ohio corporation, and Michael Sutter, an individual (collectively “Defendants”) have settled the above-captioned matter; and

WHEREAS this Court has entered a Stipulated Injunction between Microsoft and Defendants;

IT IS HEREBY STIPULATED by and between Plaintiff, through its attorneys, and Defendants, through their attorneys, that Defendants Retech Computer Equipment, Inc., an Ohio corporation, and Michael Sutter, an individual shall be dismissed with prejudice from Microsoft’s Complaint pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorneys’ fees.

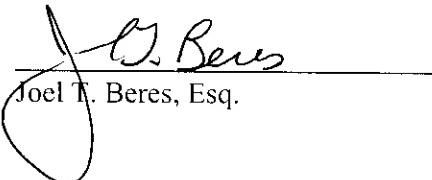
IT IS HEREBY FURTHER STIPULATED that this Court shall retain jurisdiction to enforce the Stipulated Injunction entered by this Court and the Settlement Agreement and Release between Microsoft and Defendants.

IT IS SO STIPULATED.

For Plaintiff MICROSOFT CORPORATION, a Washington corporation

STITES & HARBISON, PLLC

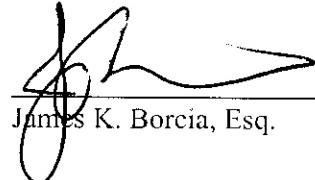
Dated: 9/19, 2003

By: 
Joel T. Beres, Esq.

For Defendants RETECH COMPUTER EQUIPMENT, INC. and MICHAEL SUTTER

TRESSLER, SODERSTROM, MALONEY & PRIESS

Dated: 10-17, 2003

By: 
James K. Borcia, Esq.

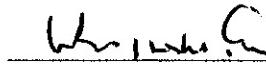
ORDER

Good Cause appearing therefore, **IT IS ORDERED THAT:**

Defendants Retech Computer Equipment, Inc., an Ohio corporation, and Michael Sutter, an individual (collectively, "Defendants"), are hereby dismissed with prejudice from Microsoft's Complaint pursuant to Rule 41 (a) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorneys' fees.

This Court shall retain jurisdiction to enforce the Stipulated Injunction entered by this Court and the Settlement Agreement and Release between Microsoft and Defendants.

Dated: 10-17-, 2003


CHIEF JUDGE WALTER H. RICE
UNITED STATES DISTRICT COURT